

AMENDED IN ASSEMBLY MAY 25, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1714**

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**Introduced by Assembly Member ~~De Leon~~ Fuentes**

February 2, 2010

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An act relating to the payment of claims against the state, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1714, as amended, ~~De Leon~~ Fuentes. Claims against the state: payment.

Current law authorizes a procedure for the state to pay claims against the state.

This bill would ~~state the intent of the Legislature to appropriate funds for the payment of claims appropriate to the Department of Justice from the General Fund a total of \$1,098,000 to pay specific claims against the state, as presented by the Attorney General, and to have. The bill would require that any appropriated funds in excess of the amount required to pay those claims revert to the General Fund.~~

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     ~~SECTION 1. The Legislature intends to appropriate funds for~~
- 2     ~~the payment of claims against the state presented by the Attorney~~
- 3     ~~General. Any funds appropriated in excess of the amounts actually~~

1 required for the payment of a claim shall revert to the General  
2 Fund on June 30 of the fiscal year in which the payment is made.

3 *SECTION 1. The sum of five hundred thirty-six thousand*  
4 *dollars (\$536,000) is hereby appropriated from the General Fund*  
5 *to the Department of Justice to pay the interim attorneys fee award*  
6 *in Humphries v. Lockyer, et al., Ninth Circuit Court of Appeals*  
7 *Case No. 05-56467. Any funds appropriated in excess of the*  
8 *amount required for the payment of this claim shall revert to the*  
9 *General Fund on June 30 of the fiscal year in which the payment*  
10 *is made.*

11 *SEC. 2. The sum of five hundred sixty-two thousand dollars*  
12 *(\$562,000) is hereby appropriated from the General Fund to the*  
13 *Department of Justice to pay the settlement in Gardner, et al., v.*  
14 *Schwarzenegger, et al., First District Court of Appeal Case No.*  
15 *A125000, Alameda County Superior Court Case No. RG06278911.*  
16 *Any funds appropriated in excess of the amount required for the*  
17 *payment of this claim shall revert to the General Fund on June 30*  
18 *of the fiscal year in which the payment is made.*

19 ~~SEC. 2.~~

20 *SEC. 3. This act is an urgency statute necessary for the*  
21 *immediate preservation of the public peace, health, or safety within*  
22 *the meaning of Article IV of the Constitution and shall go into*  
23 *immediate effect. The facts constituting the necessity are:*

24 *In order to pay claims against the state and end hardship to*  
25 *claimants as quickly as possible, it is necessary that this bill go*  
26 *into immediate effect.*